

REMARKS

This Amendment is responsive to the official action dated March 13, 2006, finally rejecting claims 1-8, 10, and 11.

Claims 1-8 and 10-23 were pending in this application. In the official action, claims 12-23 were withdrawn from consideration, and claims 1-8, 10, and 11 were rejected. In this Amendment, claim 11 has been canceled, and claim 1 has been amended. Claims 1-8 and 10 thus remain for consideration.

Applicant submits that claims 1-8 and 10 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

§103 Rejections

Claims 1-8, 10, and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Miekka et al.* (U.S. Patent No. 6,540,865 in view of *Xie et al.* (U.S. Patent No. 6,503,620) alone, or further in view of *Piacente et al.* (U.S. Patent No. 5,178,912).

Claim 11 has been canceled, thereby rendering its rejection moot.

Applicant submits that independent claim 1 is patentable over *Miekka*, *Xie* and *Piacente*.

Applicant's invention, as recited in claim 1, is directed toward a method for forming a colored tape. The tape formed by the method includes a base film having a first surface and a second surface. The first surface of the base film is covered with a mixture of laminating adhesive and coloring agent to form a first layer on the first surface of the base film. On top of the first layer, hot melt adhesive is applied to form a second layer. The second layer is cooled to form a solidified layer of pressure sensitive hot melt adhesive. On the second surface of the base film, a release coating is applied. Supporting disclosure for the application of a release coating to the

second surface of the base film can be found in the specification at, for example, page 8, lines 13-15.

The recited tape construction allows the tape to be rolled up upon it self for transport and storage without compromising the properties of the tape. More specifically, when the finished tape is rolled up the pressure sensitive hot melt adhesive contacts the release coating on the second surface of the base film, and thus the tape can be readily unrolled due to the ease of releasing the pressure sensitive hot melt adhesive from the release coating. By contrast, if a release coating was not applied to the second surface of the base film and the tape were rolled up, the pressure sensitive hot melt adhesive would adhere to the second surface of the base film, making it very difficult to unroll the tape. Indeed, if the release coating were not applied and the tape rolled up, it is possible that the tape could not be unrolled and that any attempt to unroll the tape would result in destruction of the tape.

Neither *Miekka*, *Xie* nor *Piacente* discloses the application of adhesive(s) to a first surface of a base film and the application of a release layer to a second surface of the base film. In particular, Applicant notes that *Miekka* and *Xie* disclose that adhesive(s) and a release liner are applied to one surface of a base film and that the other surface of the base film remains uncoated. For purposes of illustration, the Examiner's attention is directed to *Miekka's* Fig. 5 and *Xie's* Fig. 4. Regarding *Miekka's* Fig. 5, it can be seen that a detackified layer 44, pressure sensitive adhesive layer 42, and a release material 40 are all applied to one surface of a substrate 38, while the other surface of the substrate 38 remains uncoated (see, e.g., *Miekka* col. 7, lines 24-58). Regarding *Xie's* Fig. 4, it can be seen that a composite adhesive 44, a second adhesive 46, and a release liner 48 are all applied

to one surface of a facestock 42, while the other surface of the facestock 42 remains uncoated.

Since neither *Miekka*, *Xie* nor *Piacente* discloses the application of adhesive(s) to a first surface of a base film and the application of a release layer to a second surface of the base film, Applicant believes that claim 1 is patentable over *Miekka*, *Xie* and *Piacente* - taken either alone or in combination - for at least this reason.

Further, since dependent claims inherit the limitations of their respective base claims, Applicant believes that dependent claims 2-8 and 10 are patentable over *Miekka*, *Xie*, and *Piacente* for at least the same reasons discussed in connection with claim 1.


Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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